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6 IN THE UNITED STATES DISTRICT COURT  
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8 FOR THE NORTHERN DISTRICT OF CALIFORNIA

9 R.K., a minor, by and through his parents, T.K.  
10 and C.K.,

11 Plaintiff,

12 v.

13 HAYWARD UNIFIED SCHOOL DISTRICT,  
14 et al.,

15 Defendant.  
16 \_\_\_\_\_/

No. C 06-07836 JSW

**ORDER SETTING BRIEFING  
SCHEDULE AND HEARING ON  
PLAINTIFF'S EX PARTE  
APPLICATION FOR  
TEMPORARY RESTRAINING  
ORDER**

17 On January 3, 2007, Plaintiff R.K. filed an *ex parte* application for a temporary  
18 restraining order against Defendants Hayward Unified School District ("HUSD") and Esther B.  
19 Clark School ("EBC"). Plaintiff seeks a temporary restraining order to require HUSD and  
20 EBC to comply with the Office of Administrative Hearings' Stay Put Order.

21 The Court HEREBY ORDERS that Plaintiff shall serve a copy of this Order on  
22 Defendants by no later than 4:00 p.m. today, January 4, 2007. A proof of such service must be  
23 filed by no later than January 5, 2007. The Court FURTHER ORDERS that HUSD and EBC  
24 shall file, and hand deliver a copy to the Court's chambers, an opposition to Plaintiff's  
25 application by no later than 12:00 p.m. on January 9, 2007. Plaintiff may file, and hand deliver  
26 a copy to the Court's chambers, a reply by no later than 12:00 p.m. on January 12, 2007.

27 The Court ORDERS that this matter shall be set for a hearing on Friday, January 19,  
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2007 at 9:00 a.m., but reserves the right to vacate the hearing if, after considering the parties' papers it determines that a hearing is not warranted.

**IT IS SO ORDERED.**

Dated: January 4, 2007

  
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JEFFREY S. WHITE  
UNITED STATES DISTRICT JUDGE

United States District Court

For the Northern District of California